

REMARKS

The Office Action and the references cited therein have been carefully reviewed. The following remarks herein are considered to be responsive thereto. Claims 1-5, 7, 9 and 10 remain in this application. Reconsideration of this application is respectfully requested.

The Examiner rejected independent claims 1 and 7 under 35 U.S.C. §112, first paragraph. Further, the Examiner rejected claims 1-5, 7, 9 and 10 under 35 U.S.C. § 102(a) as being anticipated by the disclosure of Nayar (WO 99/45511). Applicants respectfully traverse.

Claim Rejections under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 1 and 7 under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. The Examiner states, “the Applicant has failed to provide sufficient support for the claimed limitation of “the processor further including means for receiving calibration data that defines particular operational characteristics of the stationary and remotely controlled cameras.” The Examiner further states the Applicants failed “to disclose through what means the processor is able to receive the calibration data, in what form the calibration data is received, or what particular operational characteristics are included in the calibration data.”

The Applicant respectfully would remind the Examiner that “the examiner has the initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined

by the claims. *Wertheim*, 541 F.2d at 263, 191 USPQ at 97.” See, MPEP 2163.04 (*emphasis added*).

The applicant directs the Examiner’s attention to page 5, lines 12-17 of the specification wherein it is disclosed that in a preferred embodiment of the present invention the processor 16 is programmed with software that realizes well known optical flow techniques that are typically used in computer vision systems. These optical flow techniques allow camera system 10 to align the views from the stationary camera 12 and mechanical camera 14.

Further, the specification discloses that the processor 16 includes means for receiving calibration data that defines particular operational characteristics of stationary and remotely controlled cameras 12 and 14. It is inherent to the present invention that the calibration data is to be received in a conventional data transmission format that is common to any processing system. A specific data format is not claimed nor is it an essential feature of the present invention. A person of ordinary skill in this art would readily appreciate that any of numerous formats for data would be suitable, however the claims should not be understood to be limited to any one given format.

Thus, the calibration data is defined in the specification as operational characteristics of the cameras. The specification further provides an example of an operational characteristic for use in aligning the views of the cameras using the optical flow techniques.

Therefore, Applicant contends that present disclosure adequately discloses to a person of ordinary skill in the present art through what means the processor is able to

receive the calibration data, in what form the calibration data is received and what particular operational characteristics are included in the calibration data.

Further, the Applicants contend that the Examiner has not met the Examiner's initial burden of presenting by a preponderance of evidence why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims.

"Generally, there is an inverse correlation between the level of skill and knowledge in the art and the specificity of disclosure necessary to satisfy the written description requirement. Information which is well known in the art need not be described in detail in the specification. See, e.g., *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379-80, 231 USPQ 81, 90 (Fed. Cir. 1986)." See, MPEP 2163 II A 2.

In light of the Examiner's lack of preponderance of evidence of why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims, the applicant respectfully submits that the rejections of claims 1 and 7 under 35 U.S.C. 112, first paragraph be withdrawn. Further, Applicants respectfully submit that independent claims 1 and 7 are patentably distinguished over the cited references and are allowable and that claims 2-5, 9 and 10 are allowable at least because they depend from an allowable base claim.

Claim Rejections under 35 U.S.C. §102(b)

In the Official Action, the Examiner rejects claims 1-5, 7, 9, and 10 under 35 U.S.C. § 102(b) as being anticipated by World Patent No. WO 99/455511 to Nayar et al.,

(hereinafter “Nayar”). In response, Applicants respectfully traverse the Examiner’s rejection under 35 U.S.C. § 102(b) for at least the reasons set forth below.

Nayar does not disclose or suggest a processor that includes means for receiving calibration data that defines particular operational characteristics of the stationary and controlled cameras as presently recited in claims 1 and 7

In the Final Official Action, the Examiner argues that Nayar discloses at page 11, lines 27-29 such a feature in that the pan, tilt, and zoom settings can be interpreted as calibration data since the camera must be moved to a specific location by a specific command. The Examiner further argues that Sergeant et al. (US 5,627,616), whose teachings are incorporated by reference into Nayar, discloses a controlled camera system that is provided with calibration data (citing column 9, lines 10-32). Applicants disagree with the Examiner’s reading of the Nayar and Sergeant et al. references.

Nayar discloses at page 11, lines 27-29 that the coordinate mapping system 70 provides appropriate pan, tilt, and zoom settings to the PTZ system 20, so that the PTZ system **is directed to view the region of interest**. Thus, the pan, zoom, and tilt settings are a **control signal** supplied to the PTZ camera to control the same to direct it to view a particular object of interest. This is in stark contrast to the **calibration data** as recited in claims 1 and 7.

As mentioned above, page 5, lines 12-17 of the present application discuss a preferred embodiment of the present invention in which the processor is programmed with software that realizes optical flow techniques that allow the camera system 10 to align the views from the stationary 12 and mechanical camera 14. In this context, the specification discusses the processor including means for receiving calibration data that

defines particular operational characteristics of the camera 12, 14. Thus, the calibration data is defined in the specification and the claims as defining operational characteristics of the cameras, for example, for use in aligning the views of the cameras using the optical flow techniques. In this context, the operational characteristics of the cameras cannot be considered the control signals for operating the cameras. The signals described in Nayar merely control the camera's motors to direct the camera accordingly; they in no way define operational characteristics of the cameras.

Furthermore, the recited portion of Sergeant et al., discloses a mechanical stop mounted in the camera itself to recognize a home position of the camera. This configuration does not disclose receiving calibration data defining operational characteristics of the camera.

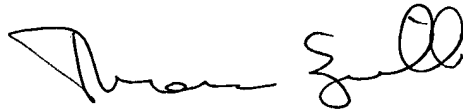
Therefore, a camera system and method for operation thereof having the features described above and as recited in independent claims 1 and 7, is nowhere disclosed in Nayar. The Examiner is reminded that "anticipation requires the presence in a single prior art reference, disclosure of each and every element of the claimed invention, arranged as in the claim,"¹ independent claims 1 and 7 are not anticipated by Nayar. Accordingly, independent claims 1 and 7 patentably distinguish over Nayar and are allowable. Claims 2-5, 9, and 10 being dependent upon claims 1 and 7, are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-5, 7, 9, and 10 under 35 U.S.C. § 102(b).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be

¹ Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).

allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', with a stylized flourish at the end.

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